

TYLER DIVISION

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## ORDER ADOPTING REPORT AND RECOMMENDATION


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Funai and “Unknown Officer” are hereby dismissed. It is further

**ORDERED** that Defendant Sergeant Young shall be ordered to answer the claims of excessive use of force against Plaintiff on or about November 19, 2009, and of retaliation related to the same incident.

**It is SO ORDERED.**

**SIGNED this 4th day of January, 2012.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE